

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

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PATRICIA KAPHAEM,

*Plaintiff,*

v.

JOHN R. WALTERS and  
SONNY PETERSON TRUCKING, INC.,

*Defendants.*

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CIVIL ACTION  
NO. 04-11712-NMG

**JOINT STATEMENT**

The plaintiff, Patricia Kaphaem, and the defendants, John R. Walters and Sonny Peterson Trucking, Inc., submit the following Joint Statement pursuant to this Court's Notice of Scheduling Conference, and agree as follows:

**Joint Discovery Plan.**

The parties propose the following discovery plan for the conduct of this litigation:

1. Other parties may be joined and the pleadings may be amended in accordance with Rules 14 and 15 of the Federal Rules of Civil Procedure.
2. Initial disclosures under Rule 26(a)(1), Fed. R. Civ. P. to be filed by April 30 11, 2005.
3. Non-expert witness and fact discovery, including all depositions, must be concluded by November 30, 2005.
4. Expert witnesses must be disclosed pursuant to Fed. R. Civ. P. 26(a)(2)

and expert's report(s) under Fed. R. Civ. P. 26(a)(2)(B) served by  
December 31, 2005.

5. Expert witness depositions pursuant to Fed. R. Civ. P. 26(a)(2) must be taken by January 31, 2006.

**I. Proposed Schedule for Filing of Motions.**

1. Parties may file motions to compel and seek other orders of the court as the need arises, subject to the provisions of this Court's Local Rules.
2. Dispositive motions must be filed no later than February 28, 2006.
3. The Court shall determine dates for a final pre-trial conference and for trial after the completion of discovery and determination of any dispositive motions filed by the parties.
4. Pursuant to Rule 26(f), the parties recommend no change "in the timing, form, or requirement for disclosures under subdivision (a) or local rule."

**II. Certifications Under Local Rule 16.1(D)(3).**

Certifications required under Local Rule 16.1 (D)(3) are attached hereto or will be submitted separately by each party by the time of the scheduling conference.

At this time, the parties do not consent to submit this case to a magistrate judge.

Respectfully submitted,

PATRICIA KAPHAEM

JOHN R. WALTERS and  
SONNY PETERSON TRUCKING,  
INC.

By her attorney,

By their attorney,

/s/ Gerard J. Dupont

Gerard J. Dupont (BBO #138900)  
228 County Street  
Attleboro, MA 02703  
(508) 222-7997

/s/ Wesley S. Chused

Wesley S. Chused (BBO #083520)  
LOONEY & GROSSMAN LLP  
101 Arch Street  
Boston, MA 02110  
(617) 951-2800

March 28, 2005

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